

1 Janet Ruth Hartley (Estate)
Atty Kruthers, Heather H (for Public Administrator – Petitioner)
Atty Sanoian, Joanne (for Melody McCombs – Daughter)

Case No. 10CEPR00428

**Amended First and Final Account and Report of Administrator and
Petition for Allowance of Ordinary and Extraordinary Commissions and
Fees and for Distribution [Prob. C. 9202, 10800, 10810, 10951, 11600, 11850(a)]**

DOD: 3/30/10		PUBLIC ADMINISTRATOR , Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
			<u>Continued from 5-14-12, 6-25-12</u>
Cont. from 051412, 062512		Account period: 8/18/10 – 3/26/12	<u>Minute Order 5-14-12:</u> Attorney Sanoian advises the Court that she has some objections.
<input type="checkbox"/>	Aff.Sub.Wit.	Accounting - \$188,300.00	<i>Note: As of 7-20-12, no objections have been filed.</i> <u>Minute Order 6-25-12:</u> Ms. Kruthers requests a continuance. Matter continued to 7-30-12. <u>Note:</u> Notice of Proposed Action filed 7-3-12 indicates preliminary distribution of \$10,000.00 each to the four heirs. Examiner notes that if this distribution has occurred, the final order will need to be revised to reflect the correct final distribution.
<input checked="" type="checkbox"/>	Verified	Beginning POH - \$188,300.00	
<input checked="" type="checkbox"/>	Inventory	Ending POH - \$132,879.51	
<input checked="" type="checkbox"/>	PTC	Administrator - \$6,319.00 (statutory)	
<input type="checkbox"/>	Not.Cred.	Administrator X/O - \$3,248.00 (per Local Rule for sale of real property, sale of personal property and preparation of taxes)	
<input checked="" type="checkbox"/>	Notice of Hrg	Attorney - \$6,319.00 (statutory, payable \$3,819.00 to County Counsel and \$2,500.00 to Susan Moore.)	
<input checked="" type="checkbox"/>	Aff.Mail	Bond fee - \$588.44 (o.k.)	
<input type="checkbox"/>	Aff.Pub.	Court fees - \$204.00 (certified copies)	
<input checked="" type="checkbox"/>	Sp.Ntc.	Closing - \$1,000.00	
<input type="checkbox"/>	Pers.Serv.	Distribution, pursuant to intestate succession, is to:	
<input type="checkbox"/>	Conf. Screen	Robert Hartley - \$38,400.35	Reviewed by: KT / skc Reviewed on: 7-23-12 Updates: Recommendation: File 1 – Hartley
<input checked="" type="checkbox"/>	Letters	David Guy - \$25,600.24	
<input type="checkbox"/>	Duties/Supp	Robert Guy - \$25,600.24	
<input type="checkbox"/>	Objections	Melody McCombs - \$25,600.24	
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		

(1) Status Report of Administration and (2) Petition for Settlement Thereof; for (3) Approval of Waiver of Account, for Allowance of Statutory Attorneys' Compensation for Approval of Waiver of Administrator's Compensation, and for (4) Final Distribution (Prob. C. 12201, 10810, 10954)

DOD: 2-10-11		DEBBIE J. RETHERFORD , Administrator, is Petitioner. I&A : \$186,257.83 POH: \$178,440.92 (Cash) Administrator: Waived (Costs to be handled outside of administration) Attorney: \$5,500.00 (Less than statutory) Distribution pursuant to intestate succession: Lila Jean Dodd: \$172,940.92	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> Examiner has interlineated the Order to reflect distribution to Ms. Dodd in the amount of \$172,940.92 pursuant to Local Rule 7.6.1.A. (monetary distributions must be stated in dollars).
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail w		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
<input checked="" type="checkbox"/>	Letters 2-15-12		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
<input checked="" type="checkbox"/>	FTB Notice		

Reviewed by: skc
Reviewed on: 7-23-12
Updates: 7-25-12
Recommendation: SUBMITTED (as interlinated)
File 2 - Dodd

Probate Status Hearing Re: Filing of Inventory and Appraisal

Age: 75	BRUCE BICKEL was appointed	NEEDS/PROBLEMS/COMMENTS:
DOB: 17-17-37	Conservator of the Estate on 3-29-12	
	with additional powers under Probate	
	Code §2591 pursuant to the order.	
	Inventory and Appraisal Partial #1 was	Note: Kate Singh (niece) and Hubert
Aff.Sub.Wit.	filed on 3-28-12 reflecting \$1,500,000.00	Mitchell (brother) were appointed
Verified	in real property in Los Angeles.	Co-Conservators of the Person on 3-
Inventory		29-12. Bruce Bickel was appointed
PTC		Conservator of the Estate.
Not.Cred.		
Notice of Hrg	Current bond is \$966,000.00 (increased	Note: The real property was sold
Aff.Mail	after sale of real property pursuant to	pursuant to court-confirmation and
Aff.Pub.	Minute Order 3-29-12).	increased bond was filed.
Sp.Ntc.		
Pers.Serv.	At the hearing on 3-29-12, the Court set	1. Need Final Inventory and
Conf. Screen	this status hearing for filing of the Final	Appraisal.
Letters	Inventory and Appraisal.	
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt	X	
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 7-23-12
		Updates:
		Recommendation:
		File 3 - Mitchell

Petition for Probate of Will and for Letters Testamentary; Authorization to
Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 05/23/2012		STEVEN ROHDE , son/ named co-executor and SUE ELLEN ROHDE former wife / named co-executor without bond, are petitioners. Full IAEA – o.k. Will dated: 05/21/2012 Residence: Fresno Publication: The Business Journal <u>Estimated value of the estate:</u> Personal property - \$1,000.00 Real property - \$185,000.00 Less Encumbrances (-\$94,000.00) Total - \$92,000.00 Probate Referee: Rick Smith	NEEDS/PROBLEMS/COMMENTS: 1. Need original will to be deposited with the Court pursuant to Probate Code §8200(a)(1). <u>Note: If the petition is granted status hearings will be set as follows:</u> • Friday, 01/11/2013 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 10/04/2013 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			s/p
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w
<input checked="" type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

Reviewed by: KT / LV
Reviewed on: 07/24/2012
Updates:
Recommendation:
File 4 - Rohde

DOD: 05/30/2012		SHIRLEY FRAMSTED and KERI LYNN EDMUNDS , daughters, are petitioners.	NEEDS/PROBLEMS/COMMENTS:
			1. I & A is not signed by Petitioner, Keri Lynn Edmunds.
Cont. from		40 days since DOD	
	Aff.Sub.Wit.	No other proceedings	
✓	Verified	I&A – \$126,818.35	
✓	Inventory	Decedent died intestate.	
	PTC		
	Not.Cred.		
✓	Notice of Hrg	Petitioners request Court determination that decedent's 100% interest in real property, located at 679 W. Sample Ave. Fresno, Ca. 93704, bank accounts, household furniture and furnishings pass to Shirley Framsted and Keri Lynn Edmunds, pursuant to intestate succession.	
✓	Aff.Mail	w	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: KT / LV
			Reviewed on: 07/24/2012
			Updates:
			Recommendation:
			File 5 - Hartwig

DOD: 1-7-11			RANDY HAWKINS , Son, was appointed Administrator with Full IAEA without bond on 10-24-11.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 013012			On 10-24-11, the Court set status hearing for filing of the Inventory and Appraisal on 1-30-12.	<u>Continued from 1-30-12</u>
Aff.Sub.Wit.				
Verified				
Inventory	X			
PTC			On 1-30-12, the Administrator appeared and informed the Court that the inventory and appraisal was given to him today by his paralegal. The Court directed him to file the inventory and appraisal with the Clerk's Office forthwith and continued the matter to 7-30-12.	<u>Minute Order 1-30-12: The Petitioner informs the Court that the inventory and appraisal was given to him today by his paralegal. The Court directs the Petitioner to file the inventory and appraisal with the Clerk's Office forthwith. Matter continued to 7-30-12.</u>
Not.Cred.				
Notice of Hrg				
Aff.Mail				
Aff.Pub.			As of 7-20-12, nothing further has been filed.	<u>As of 7-20-12, nothing further has been filed.</u>
Sp.Ntc.				
Pers.Serv.				
Conf. Screen				
Letters			As of 7-20-12, nothing further has been filed.	1. Need Inventory and Appraisal.
Duties/Supp				
Objections				
Video Receipt				
CI Report				<u>Note: Administrator's original petition stated the estate contains real property with an estimated value of \$62,550.00.</u>
9202				
Order				
Aff. Posting				
Status Rpt	X			<u>Note: A status hearing for the filing of the first account or petition for final distribution is currently set for 10-29-12.</u>
UCCJEA				
Citation				
FTB Notice				
			Reviewed by: skc	
			Reviewed on: 7-20-12	
			Updates:	
			Recommendation:	
			File 6 - Hawkins	

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 7 months DOB: 07/27/11		TEMPORARY EXPIRES 07/30/12		NEEDS/PROBLEMS/COMMENTS:	
		VIOLETA ALCANTAR , maternal grandmother, is Petitioner.		<u>Continued from 02/29/12</u>	
		Father: CHRISTIAN LOPEZ		Minute Order from 02/29/12 states:	
Cont. from 022912				The Court on its own motion grants a temporary guardianship of the person in favor of Violeta Alcantar. The temporary expires on 07/30/12. Matter is continued to 07/30/12. The Court directs that the father be present on 07/30/12.	
	Aff.Sub.Wit.			As of 07/23/12, the following problems remain:	
✓	Verified	Mother: FLOR VIOLETA SERRATOS – consent and waiver of notice filed 02/01/12		1. Need proof of personal service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent and Waiver of Notice <u>or</u> Declaration of Due Diligence for: - Christian Lopez (father)	
	Inventory	Paternal grandfather: JOE LOPEZ – served by mail 01/27/12			
	PTC	Paternal grandmother: TERESA LOPEZ – served by mail 01/27/12			
	Not.Cred.	Maternal grandfather: RIGOBERTO SERRATOS – served by mail 01/27/12			
✓	Notice of Hrg	Petitioner states that the mother is only 16 and is not exhibiting the maturity necessary to properly care for her son. Petitioner states that she has been the primary care provider and has supported the baby since birth. Petitioner states that the mother has threatened to run away and take the baby with her.			
✓	Aff.Mail	Petitioner states that the father is 18 and currently on probation for burglary. Father has a history of substance abuse and arrest and is not able to properly care for the child.			
	Aff.Pub.			Reviewed by: JF	
	Sp.Ntc.			Reviewed on: 07/23/12	
	Pers.Serv.			Updates:	
✓	Conf. Screen			Recommendation:	
✓	Letters			File 7 - Lopez	
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
		Court Investigator Julie Negrete's report was filed 02/14/12.			

**8 Cesar Gomez, Dassy Madrigal, Ashley Zaragoza & Jorge Zaragoza (GUARD/P) Case
No 12CEPR00155**

Pro Per Zaragoza Gomez, Maria De Jesus (Guardian, maternal aunt)
Pro Per Vasquez, Jorge Luis Lopez (Pro Per Objecter, Jorge's father)

Status Hearing Re: Visitation

Cesar age: 16 years	MARIA De JESUS ZARAGOZA GOMEZ , maternal aunt, was appointed Guardian on 4/16/2012. Minute Order dated 4/16/2012 [Judge Nunez] set this status hearing regarding visitation, and states: <ul style="list-style-type: none"> Ramona Trevino is sworn and interprets for both parties; The Court finds substantial compliance with the notice requirements and grants the <i>Petition</i>; The Court orders visitation between father, Jorge Luis Lopez Vasquez, and the minor child Jorge as follows: beginning this Sunday, 4/22/2012, and for the next six weeks, father will pick up the child on Sunday no later than 12:00 noon and return him to the Guardian no later than 12:00 noon on Tuesday. Upon the seventh week and for the next eight weeks thereafter, visitation will remain the same with the exception that father will return the child to the Guardian no later than 12:00 noon on Wednesday; The Court further orders that the father may take the child to the doctor if necessary while the child is in his care. 	NEEDS/PROBLEMS/COMMENTS:				
Dassy age: 14 yrs						
Ashley age: 5 years						
Jorge age: 2 years						
Cont. from						
Aff.Sub.Wit.						
Verified						
Inventory						
PTC						
Not.Cred.						
Notice of Hrg						
Aff.Mail						
Aff.Pub.						
Sp.Ntc.						
Pers.Serv.						
Conf. Screen						
Letters						
Duties/Supp						
Objections						
Video Receipt						
CI Report						
9202						
Order						
Aff. Posting						
Status Rpt						
UCCJEA						
Citation						
FTB Notice						
<table border="1"> <tr> <td>Reviewed by: LEG</td> </tr> <tr> <td>Reviewed on: 7/23/12</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 8 – Gomez, Madrigal & Zaragoza</td> </tr> </table>		Reviewed by: LEG	Reviewed on: 7/23/12	Updates:	Recommendation:	File 8 – Gomez, Madrigal & Zaragoza
Reviewed by: LEG						
Reviewed on: 7/23/12						
Updates:						
Recommendation:						
File 8 – Gomez, Madrigal & Zaragoza						

		RONALD MILLER , Brother, was appointed Conservator of the Person and Estate on 3-28-12. On 3-28-12, the Court set this status hearing for filing of the Inventory and Appraisal. <u>Note:</u> Bond of \$23,760.00 was filed and Letters issued on 4-6-12. <u>Note:</u> A Petition for Substituted Judgment filed 6-15-12 was set for hearing on 7-26-12.	NEEDS/PROBLEMS/COMMENTS: Minute Order 3-28-12: Examiner notes are provided to the Petitioner. The Court grants the Petition for Conservator of the Estate and appoints Ronald Miller as the conservator. Voting rights are ordered affected. The Court advises the Petitioner that a bond will be required once the amount is determined. Petition is granted; Order signed. Voting rights affected. Additional hearing dates set: 4-26-12 – Proof of bond 7-30-12 – Inventory and Appraisal 6-12-13 – First Account Later and off the record, the Court orders that case #0439065 be consolidated with # 12CEPR00160. Case #0439065 to be the lead case. 1. Need Inventory and Appraisal to be filed in LEAD Case #0439065.
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt	X		
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: skc Reviewed on: 7-24-12 Updates: Recommendation: File 9 - Miller	

**Petition for Letters of Administration; Authorization to Administer Under IAEA
(Prob. C. 8002, 10450)**

DOD:10/11/2010		KARLA DEAN , daughter is Petitioner and requests appointment as administrator without bond.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 062812			
	Aff.Sub.Wit.	Full IAEA – o.k.	
✓	Verified		
	Inventory		
	PTC	Decedent died intestate	
	Not.Cred.		
✓	Notice of Hrg	Residence: Tollhouse	
✓	Aff.Mail	Publication: The Business Journal	
✓	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen	Estimated value of the Estate:	
		Personal Property - \$150.00	
		Real Property - \$105,000.00	
✓	Letters	Total: - \$105,150.00	
✓	Duties/Supp		
	Objections		
	Video Receipt	Probate Referee: Rick Smith	
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

1. Need Notice of Petition to Administer Estate.
2. Need proof of service of Notice of Petition to Administer Estate on the following:
 - Karla Leanne Dean
 - Roger Curtis Dean
 - Julia Maggie Dean
 - Holly Jo Johnson
 - Hannah Rose Johnson
 - Mary Ribicka Johnson
3. Item 5B of the Petition is incomplete regarding stepchild or foster child.
4. Attachment 3(d) to Petition states every beneficiary requests bond be waived. Need signed waivers of bond from all beneficiaries.
 - Karla Leanne Dean
 - Roger Curtis Dean
 - Holly Jo Johnson
 - Hannah Rose Johnson
 - Mary Ribicka Johnson

Note: If the petition is granted status hearings will be set as follows:

- **Friday, 01/11/2013 at 9:00a.m. in Dept. 303** for the filing of the inventory and appraisal and
- **Friday, 10/04/2013 at 9:00a.m. in Dept. 303** for the filing of the first account and final distribution.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.

Reviewed by: KT / LV

Reviewed on: 07/24/2012

Updates:

Recommendation:

File 10 - Johnson

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 7		TEMPORARY EXPIRES 7-30-12 WENDY DEL CARMEN TABORA , sister, is petitioner. Father: RUBEN GONZALEZ – consents and waives notice. Mother: ENRIQUETA BAQUEDANO – consents and waives notice. Paternal grandparents: Not listed Maternal grandparents: Not listed (Child Information Attachment to Petition was not provided.) Petitioner states the mother has immigration issues. Mother's permit to stay in the United States expired in March 2012. Court Investigator Jennifer Daniel filed a report on 7-20-12.	NEEDS/PROBLEMS/COMMENTS: 1. Need Child Information Attachment. (This attachment includes a place to lists the names and addresses of the relatives and other necessary information.) 2. Need Notice of Hearing and proof of service of Notice of Hearing at least 15 days prior to the hearing or consent and waiver of notice or declarations of due diligence on: - Paternal Grandfather - Paternal Grandmother - Maternal Grandfather - Maternal Grandmother	
DOB: 1-2-05				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			x
	Aff.Mail			x
	Aff.Pub.			
	Sp.Ntc.			
N/A	Pers.Serv.			
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc Reviewed on: 7-23-12 Updates: Recommendation: File 11 – Gonzalez	

Pro Per **Detrell, Angeles (Pro Per Petitioner, friend of mother)****Petition for Appointment of Guardian of the Person (Prob. C. 1510)**

Age: 1 ½ years		NO TEMPORARY REQUESTED		NEEDS/PROBLEMS/COMMENTS:	
		ANGELES DETRELL , friend of mother, is Petitioner.		<p>Note: Declaration of Due Diligence filed 5/31/2012 states the father's whereabouts in Mexico are unknown to the mother, and the father has never met the child. (Also, no father is listed on the child's birth certificate.) Court may require further diligence if Court does not find satisfactory due diligence as to the father and paternal grandparents.</p> <p>Note: Child Information Attachment lists a sibling, Jacob Josue Patino, who resides in Mexico. If the child is age 12 or over, Petitioner should file with the Court proof of notice mailed to him pursuant to Probate Code § 1511(b)(1).</p>	
		Father: GABRIEL OLAIS ROCHA ; Mexico; Declaration of Due Diligence filed 5/31/2012.			
Cont. from		Mother: MITZY PATINO LEON ; incarcerated; consents and waives notice.			
<input type="checkbox"/>	Aff.Sub.Wit.				
<input checked="" type="checkbox"/>	Verified				
<input type="checkbox"/>	Inventory				
<input type="checkbox"/>	PTC				
<input type="checkbox"/>	Not.Cred.	Paternal grandfather: Unknown ; Declaration of Due Diligence filed 5/31/2012.			
<input checked="" type="checkbox"/>	Notice of Hrg	Paternal grandmother: Unknown ; Declaration of Due Diligence filed 5/31/2012.			
<input checked="" type="checkbox"/>	Aff.Mail	W/			
<input type="checkbox"/>	Aff.Pub.				
<input type="checkbox"/>	Sp.Ntc.	Maternal grandfather: Joel Patino ; sent notice by mail 6/1/2012.			
<input type="checkbox"/>	Pers.Serv.	Maternal grandmother: Maria Luisa Leon ; sent notice by mail 6/1/2012.			
<input checked="" type="checkbox"/>	Conf. Screen	<p>Petitioner states the child's mother gave birth to the child in prison, and the mother sent the child to Petitioner, who is the mother's friend. Petitioner states she has had the child in her care since the child was five days old, and Petitioner needs guardianship so she can enroll the child in school and make all legal decisions with regard to the child. Petitioner states she is solely responsible for the child and provides for his day-to-day needs.</p>			
<input type="checkbox"/>	Aff. Posting				
<input checked="" type="checkbox"/>	Duties/Supp				
<input type="checkbox"/>	Objections				
<input type="checkbox"/>	Video Receipt				
<input type="checkbox"/>	CI Report	X			
<input type="checkbox"/>	Clearances	X			
<input checked="" type="checkbox"/>	Order				
<input checked="" type="checkbox"/>	Letters				
<input type="checkbox"/>	Status Rpt				
<input type="checkbox"/>	UCCJEA				
<input type="checkbox"/>	Citation				
<input type="checkbox"/>	FTB Notice	<p>Court Investigator Charlotte Bien to provide CI Report and clearances.</p>			
				Reviewed by: LEG	
				Reviewed on: 7/23/12	
				Updates:	
				Recommendation:	
				File 12 - Patino	

Age: 1 year		TEMPORARY EXPIRES 7-30-12		NEEDS/PROBLEMS/COMMENTS: <u>Court Investigator to file report, clearances.</u> 1. Notice to the mother was dispensed pursuant to Minute Order 6-14-12 unless her whereabouts become known. The Court may require updated information at this time, if any. 2. At the hearing on 6-14-12, this general hearing was rescheduled from 7-31-12 to 7-30-12. However, the Notice of Hearing filed 6-6-12 indicates that the maternal grandfather James May and maternal half-sister Makayla Camberos were served regarding the 7-31-12 date. The Court may require continuance for amended service.
DOB: 9-1-10		RICHARD and JEANNIE ESPINOSA , paternal grandparents are petitioners.		
Cont. from		Father: LORENZO FRANCISCO ESPINOSA , consents and waives notice.		
	Aff.Sub.Wit.	Mother: JODY SUZANNE MAY - Notice dispensed per Minute Order 6-14-12		
✓	Verified	Maternal grandfather: James May - Served by mail 6-5-12 for hearing date 7-31-12		
	Inventory	Maternal grandmother: Gail May, Deceased		
	PTC	Maternal Half-Sister: Makayla Camberos - Served by mail 6-5-12 for hearing date 7-31-12		
	Not.Cred.	Petitioner alleges: both parents have history of substance abuse and struggle with sobriety. 04/14/2012 police were called to the Mother's home, she fled with a friend leaving the child behind. Petitioners believe that the Mother feared being arrested. The Mother never returned, police called CPS and the child was placed in Petitioners' care. Petitioners were advised to seek guardianship as soon as possible. The Father was recently released from Fresno County Jail and is currently in a substance abuse program. Petitioners believe that the Mother was recently arrested and is out on bail.		
✓	Notice of Hrg	Court Investigator Jennifer Daniel filed a report on 7-23-12.		
✓	Aff.Mail	w		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.	X		
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
Reviewed by: skc				
Reviewed on: 7-23-12				
Updates: 7-24-12				
Recommendation:				
File 13 - Espinosa				

Atty Simonian, Jeffrey D., of Penner Bradley & Simonian (for Petitioner Scott A. Smith)

Petition for Appointment of Successor Trustee (Probate Code 15660, 17200)

DOD: 2/27/2012		<p>SCOTT ANDREW SMITH, Trust Beneficiary, is Petitioner.</p> <p>Petitioner requests the Court appoint a Successor Trustee for the BRENTON ROBERT SMITH CHARITABLE REMAINDER UNITRUST dated 7/9/2005, based upon the following:</p> <ul style="list-style-type: none"> BRENTON ROBERT SMITH, as Donor and Trustee, executed the Trust on 7/9/2005 (copy attached as Exhibit A); at the time of his death (copy of certificate of death attached as Exhibit B), the Trustee was a resident of Fresno County, CA; The Trust provides that if Brenton Robert Smith ceases to serve as Trustee, then DIXON ROBERT SMITH is to serve as Successor Trustee of the Trust; because Dixon Robert Smith is a minor, he lacks capacity and is not qualified to serve as the Trustee of the Trust, and therefore a vacancy exists in the office of Successor Trustee; The Trust provides that Brenton Robert Smith was the sole beneficiary ("Unitrust Recipient") during his lifetime, entitled to distributions of Trust income and/or principal and was entitled to receive annual distributions from the Trust equal to 5% of the net fair market value of the Trust assets valued as of the first day of each taxable year, payable quarterly; In accordance with the Trust terms, upon the death of Brenton Robert Smith, Petitioner SCOTT ANDREW SMITH became the sole beneficiary ("Unitrust Recipient") of the Trust, entitled to distributions of Trust income and/or principal and was entitled to receive annual distributions from the Trust equal to 5% of the net fair market value of the Trust assets valued as of the first day of each taxable year, payable quarterly for the remainder of his lifetime; After the death of Petitioner, the Trust provides that the balance of the assets held by the Trust are to be distributed to CENTRAL VALLEY MEDICAL SCHOLARSHIP FUND, INC., a California non-profit public benefit corporation ("Charitable Remainder Beneficiary"); <p align="center">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Need proof mailed service of 30 days' notice prior to hearing pursuant to Probate Code § 17203 for the Attorney General, if the charitable trust is subject to Attorney General jurisdiction. Probate Code § 15602(a)(3) provides a trustee is not required to give a bond unless an individual who is not named as trustee in the trust instrument is appointed as trustee by the court. Subdivision (b) provides a request by all adult beneficiaries of a trust that bond be waived is deemed to constitute a compelling circumstance sufficient for the court to excuse requirement of bond. Need waiver of bond requesting Lisa Lepper be appointed to serve without bond from Central Valley Medical Scholarship Fund, Inc., listed in the <i>Petition</i> as "Charitable Remainder Beneficiary," C/O Linda L. Smith (spouse of Brenton Robert Smith, the initial Trustee.)
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Reviewed by: LEG
Reviewed on: 7/23/12
Updates: 7/24/12
Recommendation:
File 15 - Smith

Petitioner states, continued:

- Petitioner being the current beneficiary and an interested person in the Trust requests pursuant to Probate Code § 15660 that the Court appoint a successor trustee for the Trust because the named successor is a minor and unable to act, there is no other practical method for appointing a successor trustee, and the Trust does not name another successor trustee in the event of a vacancy in the office of trustee for the Trust;
- There has been no agreement between the beneficiaries of the Trust to provide a successor trustee in accordance with Probate Code § 15660(c), and the size of the Trust estate makes it uneconomical to fill the vacancy in the office of trustee with a trust company;
- In accordance with Probate Code § 15660(d), Petitioner nominates **LISA LEPPER** to act as successor trustee of the Trust to fill the vacancy; Lisa Lepper is a private fiduciary licensed in California, qualified to act as successor trustee, and is not a related or subordinate party of the Donor of the Trust beneficiaries; Petitioner believes her appointment is in the best interest of the Trust and beneficiaries;
- Lisa Lepper has consented to serve as Successor Trustee of the Trust subject to an order of this Court confirming her appointment as Successor Trustee (*copy of Consent to Act attached as Exhibit C; original filed with Court on 6/14/2012*); Lisa Lepper has agreed to compensation for the performance of fiduciary services for the Trust on a flat fee basis in the amount of **\$1,200.00** per annum in addition to an initial setup charge of **\$250.00** for establishing accounts in the name of the Trust;
- Based on information available to Petitioner, the assets of the Trust consist of cash in the sum of **\$191,300.18 cash** (see *Exhibit D*);
- The Trust is silent on the requirement of bond for the person acting a Trustee; Petitioner believes that no bond is required to protect the interests of the Trust beneficiaries following appointment of Lisa Lepper as Successor Trustee.

Petitioner prays for an Order:

1. Appointing Lisa Lepper to act as [Successor] Trustee of the Trust and vesting in her all the powers held by Brenton Robert Smith, the initial Trustee of the Trust;
2. Directing the transfer, assignment, and delivery of all assets of the Trust held in the name of Brenton Robert Smith, the initial Trustee, to Lisa Lepper as Successor Trustee of the Trust; and
3. Waiving the requirement that Lisa Lepper give a bond for the performance of her fiduciary duties as [Successor] Trustee of the Trust.